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Viewing cable 08BOGOTA3193, URIBE-SUPREME COURT TENSIONS ESCALATE

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Reference ID	Created	Released	Classification	Origin
08BOGOTA3193	2008-08-28 16:29	2011-08-30 01:44	CONFIDENTIAL	Embassy Bogota

Appears in these articles:

<http://www.semana.com/wikileaks/Seccion/168.aspx>

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PP RUEHWEB

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C O N F I D E N T I A L BOGOTA 003193

SIPDIS

E.O. 12958: DECL: 08/27/2018
TAGS: [PGOV](#) [PREL](#) [PTER](#) [PHUM](#) [KJUS](#) [CO](#)
SUBJECT: URIBE-SUPREME COURT TENSIONS ESCALATE

Classified By: Political Counselor John Creamer
Reasons 1.4 (b and d)

SUMMARY

1. (C) President Uribe intensified his offensive against the Supreme Court the week of August 24 after the revelation that senior GOC officials met three times at the presidential place with emissaries of extradited former paramilitary leader Diego Murillo Bejarano (Don Berna). The two allegedly turned over evidence showing that the lead magistrate in the Supreme Court's investigation of the parapolitical scandal was seeking false evidence to incriminate Uribe. Supreme Court President Javier Ricaurte publicly charged that the meetings revealed a GOC plot to derail the parapolitical investigations. Ricaurte later told us privately he had tried to ignore previous disparaging comments from Uribe, but that the news of the meetings with Don Berna's representatives were unacceptable. He expects executive-judicial tensions to remain high as long as the parapolitical investigations continue.

URIBE DEFENDS STAFF, LASHES OUT AGAINST SUPREME COURT

2. (U) President Alvaro Uribe used a nationally broadcast press conference on August 25 to intensify his criticism of the Supreme Court. Uribe charged Ivan Velasquez, the lead auxiliary magistrate in the investigations of paramilitary-linked politicians, with "trafficking in witnesses" and with "getting drunk" with witnesses. Uribe further charged that the Supreme Court itself had become an obstacle to investigating any wrongdoing by Velasquez, with whom Uribe has had a long and public feud (see reftel). The President alleged that a former paramilitary member (Tasmania) who had recanted public accusations against Velasquez had done so for political, not judicial, reasons.

3. (U) Uribe also strongly defended the decision of presidential legal advisor Edmundo del Castillo and presidential spokesman Cesar Velazquez to meet at the Casa de Narino with Diego Alvarez, an attorney for Don Berna, and Antonio Lopez (Job), a demobilized Berna henchman who was murdered in July in Medellin. Uribe contended that Don Berna's representatives had claimed to have evidence against Velasquez, and that del Castillo had let the two drive into the Casa Narino--a privilege usually reserved for senior dignitaries--due to the delicacy of that evidence. The president played video footage of the vehicle entering the building, while the head of the Casa de Narino's security detail showed the palace's official entry log recording the pair's entrance. Such documentation, argued Uribe, proved there was no intent to keep the meeting clandestine.

RICAUARTE CLAIMS MEETINGS PROVE PLOT AGAINST COURT

4. (U) A few hours before Uribe's press conference, Supreme Court President Javier Ricaurte publicly denounced the Casa de Narino meetings as proof that some GOC officials are trying to discredit the Court in an effort to derail its investigation of politicians' links to former paramilitaries. Ricaurte charged that any evidence against Velasquez or other judges should have been turned over to prosecutors and judges who have more legal expertise than presidential aides to determine whether the evidence constituted a crime. The magistrate also questioned how Uribe could call for the arrest of members of an infamous Medellin crime group at the same time that some of his top aides met with other members of that group. Ricaurte suggested that the Colombia's Prosecutor General and the International Criminal Court (ICC) should investigate. Court members met with ICC Prosecutor Luis Moreno Ocampo on August 25 and reportedly voiced their concern that the executive is trying to sabotage their investigation of the parapolitical scandal.

PRESS PIECE THAT SPARKED THE FEUD

15. (C) Uribe's outburst followed public revelations that GOC officials del Castillo and Velsquez met three times--one at the end of last year, one in March of this year, and one in April of this year--in the Casa de Narino with Don Berna emissaries Alvarez and Lopez. The two reportedly offered video recordings showing that Supreme Court Auxiliary Magistrate Ivan Velasquez was seeking to undermine Uribe by collecting false evidence implicating the president in the parapolitical scandal. The two also gave the presidential aides videotapes purportedly showing a lawyer claiming to represent Velasquez soliciting money from Alvarez in exchange for favors from the court for Don Berna. Colombian National Police Director Oscar Naranjo privately told us that the meetings were organized by senior Uribe advisor Jose Obdulio Gaviria.

FORMER PRESIDENT CESAR GAVIRIA CRITICIZES GOC STANCE

16. (U) Liberal Party chief and former president (1990-94) Cesar Gaviria publicly demanded that Uribe explain how paramilitary-linked figures could so easily enter the presidential palace, and suggested that the ICC might examine evidence linking GOC officials with figures tied to crimes against humanity. Gaviria also rejected Uribe's charge that his own administration had links to an anti-Pablo Escobar vigilante group (Los Pepes) and denied Uribe's suggestion that his own administration had bowed to narcotrafficker pressure by including a ban on extradition in the 1991 Constitution. On August 27, Vice-President Francisco Santos urged President Uribe and opposition political leaders to moderate their discourse, arguing that the growing polarization is damaging the country.

RICAUARTE ANGRY, BAFFLED OVER URIBE'S MOTIVES

17. (C) Ricaurte told us privately on August 26 that he was angry over Uribe's charges. He explained that his commitment to better executive-judicial branch relations had kept him from responding to previous criticisms from the president, but that he had found himself unable to remain silent in the wake of the latest revelations. Ricaurte stressed that bringing known criminals into the Casa de Narino was unacceptable. Ricaurte said that despite Uribe's charges of judicial bias, the Court simply follows evidence wherever it may lead.

18. (C) Ricaurte offered three theories for Uribe's continued attacks on the Court. First, that Uribe believes the Court is investigating him--which Ricaurte says he has assured the president is not the case. Second, Uribe fears that "all roads lead to Rome" and that ongoing investigations into presidential allies will eventually incriminate him. Finally, Ricaurte speculated that Uribe is complying with pressure from his congressional allies to block the investigations. Ricaurte did not say which of the three he believed, but he offered that he does not see the current tensions abating as long as the parapolitical investigations continue.

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